

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 DIANA ZOE ELLIS,

10 Plaintiff,

NO. CV-08-255-EFS

11 v.

12 DEPARTMENT OF VETERANS
13 AFFAIRS, U.S. DEPARTMENT OF
14 TREASURY

15 **ORDER DISMISSING COMPLAINT
16 WITH PREJUDICE**

17 Defendants.

18 In an Order on August 22, 2008 (Ct. Rec. 15), the Court identified
19 several deficiencies with Plaintiff's Complaint (Ct. Rec. 9) and directed
20 her to file an amended complaint within sixty (60) days. Instead of
21 filing an amended complaint, Plaintiff submitted a letter asserting that
22 "ammending [sic] a *pro se* litigant's complaint is obstruction of due
23 process law [sic] of the Constitution! My complaint stands as written."
24 (Ct. Rec. 17 at 1.) The Court previously informed Plaintiff that her
25 complaint was defective for three (3) reasons: 1) Plaintiff failed to
26 articulate any cognizable claims against Defendants; 2) the Complaint did
 not comply with either the Federal Rules of Civil Procedure or the Local
 Rules for the Eastern District of Washington; and 3) Plaintiff, as a

1 private citizen, cannot pursue a criminal action against Defendants based
2 on theft. Although granted an opportunity to amend her Complaint and
3 remedy its deficiencies, Plaintiff declined to do so.

4 Accordingly, **IT IS HEREBY ORDERED:** this action is **DISMISSED with**
5 **prejudice** for failure to state a claim upon which relief may be granted
6 under 28 U.S.C. § 1915(e) (2).

7 **IT IS SO ORDERED.** The District Court Executive is directed to:

- 8 1) enter this Order;
9 2) forward a copy to Plaintiff at her last known address;
10 3) enter judgment of dismissal with prejudice; and
11 4) close the file.

12 **DATED** this 5th day of September 2008.

13
14 _____ S/ Edward F. Shea
15 EDWARD F. SHEA
United States District Judge

16 Q:\Civil\2008\255.Dismiss.wpd
17
18
19
20
21
22
23
24
25
26